

ORDINANCE NO. _____
BILL NO. _____ (2008)

A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.04, MAUI COUNTY CODE, PERTAINING TO GENERAL PROVISIONS AND DEFINITIONS, AND AMENDING CHAPTER 19.36, MAUI COUNTY CODE, PERTAINING TO OFF-STREET PARKING AND LOADING
BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

May 27, 2008 DRAFT

SECTION 1. Section 19.04.040, Maui County Code, is amended by adding new definitions to be appropriately inserted and to read as follows:

"Residential mixed use project" means a building or buildings on individual or contiguous lots which combine general merchandising, general office, personal and business services, and/or other commercial purpose with residential uses located within a Project District, the B-2 Community Business District, B-3 Central Business District, B-CT Country Town Business District, and M-1 Light Industrial District.

SECTION 2. Section 19.36, Maui County Code, is amended by adding new sections to be appropriately inserted and to read as follows:

19.36.010 Designated number of spaces.

Unless otherwise provided in this chapter, the following minimum numbers of accessible off-street facilities for the parking of self-propelled motor vehicles shall be provided on private property in connection with the use of any land, or the erection or remodeling of any building or structure. The number of off-street parking spaces required shall not be less than the sum total of spaces of the number of required parking spaces for each component use of land, building or structure hereinafter specified:

Use	Minimum Parking ratio
<u>Single-family dwelling, farm dwelling, duplex:</u>	<u>two parking spaces for each dwelling unit;</u>
<u>Accessory dwelling:</u>	<u>one parking space for each dwelling unit;</u>
<u>Domestic type business in home:</u>	<u>one parking space for each business;</u>
<u>Roadside stand:</u>	<u>two parking spaces for each stand;</u>
<u>Lodging house:</u>	<u>one parking space for every two lodging rooms;</u>
<u>Motel:</u>	<u>one and one-half parking spaces for each unit;</u>
<u>Apartment house,</u>	<u>two parking spaces for each unit; provided, that two parking</u>

<u>apartment, apartment-motel with kitchen facility in room:</u>	<u>spaces assigned to a dwelling unit, or allocated for employee parking, may be situated in tandem thereby allowing two vehicles to park end to end;</u>
<u>Hotel</u>	<u>one space for every two guest rooms</u>
<u>U-drive stand and storage:</u>	<u>one parking space for each vehicle operating from that stand or storage. Where the u-drive business is within a hotel district, the storage area for the u-drive vehicles shall be physically separated from the hotel parking area, and shall be physically bounded and marked for AU-Drive Vehicles Only</u>
<u>Taxistand and bus stand:</u>	<u>one parking space for each vehicle operating from that stand. The space shall be sufficient in size to accommodate the bus or vehicle, and shall be marked for ATaxi Only® or ABus Only®;</u>
<u>Church, place of worship</u>	<u>one parking space for every one hundred square feet of floor area of building.</u>
<u>Mortuary:</u>	<u>one parking space for every forty square feet of floor area of building;</u>
<u>Auditorium, theater, stadium, bleachers, place of assembly:</u>	<u>one parking space for every six seats;</u>
<u>Library, museum, art gallery:</u>	<u>one parking space for every three hundred square feet of floor area of building;</u>
<u>School with students less than fifteen years of age:</u>	<u>one parking space for each classroom;</u>
<u>Day care facility</u>	<u>one parking space for each classroom;</u>
<u>school with students more than fifteen years of age:</u>	<u>eight parking spaces for each classroom;</u>
<u>Hospitals:</u>	<u>one parking space for every three beds</u>
<u>Sanitarium, welfare institution, nursing home:</u>	<u>one parking space for every eight beds;</u>
<u>Golf course:</u>	<u>three parking spaces for each hole in the course;</u>

<u>Golf driving range:</u>	<u>four parking spaces for each acre;</u>
<u>Clubhouse, private club:</u>	<u>one parking space for every two hundred square feet of floor area of building;</u>
<u>Bowling alley:</u>	<u>five parking spaces for each alley;</u>
<u>Swimming pool, gymnasium:</u>	<u>one parking space for every six hundred square feet of gross floor area of pool or building;</u>
<u>Restaurant, bar, nightclub, amusement centers and places of assembly:</u>	<u>one parking space for every one hundred square feet of serving and dining areas; provided, that there shall be a minimum of three parking spaces for patrons and a minimum of three additional spaces for employee parking for each such establishment;</u>
<u>Business building</u>	<u>one parking space for every five hundred square feet of floor area of building; provided, that the minimum shall be three parking spaces;</u>
<u>Service station, repair shop, garage:</u>	<u>one parking space for every two hundred square feet of floor area of building or forty percent of the lot area, whichever is the greater. The storing and keeping of damaged vehicles or parts thereof shall be within an enclosure bounded completely by solid fence six feet in height</u>
<u>Industrial or storage uses in M-1 and M-2 industrial zones:</u>	<u>one parking space for every six hundred square feet of floor area of building or twenty-five percent of the lot area, whichever is the greater</u>
<u>Industrial or storage use other than in M-1 light industrial district:</u>	<u>one parking space for every seven hundred square feet of floor area of building or twenty percent of the lot area, whichever is the greater;</u>
<u>Self storage</u>	<u>one parking space for every 3,000 sq.ft. of storage</u>
<u>Public utility substation:</u>	<u>one parking space</u>
<u>Shopping centers defined as commercial establishments with five or more uses or business entities on a single parcel of land containing a minimum of three acres of land</u>	<u>the shopping centers shall have one space for every two hundred square feet of floor area of all buildings except for restaurant, bar, nightclub and amusement facilities, for which parking requirements under this section shall apply;</u> <u>Residential Mixed use projects shall not be assessed as</u>

<u>area or a minimum of twenty-five thousand square feet floor area:</u>	<u>shopping centers.</u>
<u>Banks and medical and dental clinics:</u>	<u>one parking space for every three hundred square feet of building; provided, that the minimum shall be three parking spaces;</u>
<u>Convertible apartment, hotel and apartment/hotel units, i.e., single units capable of being utilized as two or more units:</u>	<u>an additional one parking space for every three convertible units shall be provided;</u>
<u>Tennis courts:</u>	<u>six parking spaces for each court;</u>
<u>Bed and breakfast home:</u>	<u>one parking space for each bedroom used for short-term rental, in addition to any other parking space(s) required by this section. Stalls may be situated in tandem.</u>
<u>Live/Work Mixed Use</u>	<u>One parking space for every seven hundred fifty square feet of area used for live/work business; commercial uses and residential uses with a live/work configuration may share parking spaces. The spaces required for the residential unit on a live/work building lot may be applied toward the number of spaces required for a business use.</u>

~~1. Single-family dwelling, farm dwelling, duplex: two parking spaces for each dwelling unit;~~
~~2. Accessory dwelling: one parking space for each dwelling unit;~~
~~3. Domestic type business in home: one parking space for each business;~~
~~4. Roadside stand: two parking spaces for each stand;~~
~~5. Lodginghouse: one parking space for every two lodging rooms;~~
~~6. Motel: one and one-half parking spaces for each unit;~~
~~7. Apartment house, apartment, apartment-motel with kitchen facility in room: two parking spaces for each unit; provided, that two parking spaces assigned to a dwelling unit, or allocated for employee parking, may be situated in tandem thereby allowing two vehicles to park end to end;~~
~~8. Hotel: one space for every two guest rooms;~~
~~9. U-drive stand and storage: one parking space for each vehicle operating from that stand or storage. Where the u-drive business is within a hotel district, the storage area for the u-drive vehicles shall be physically separated from the hotel parking area, and shall be physically bounded and marked for AU-Drive Vehicles Only@;~~
~~10. Taxistand and bus stand: one parking space for each vehicle operating from that stand. The space shall be sufficient in size to accommodate the bus or vehicle, and shall be~~

marked for ATaxi Only@ or ABus Only@;

11. Church, place of worship: one parking space for every one hundred square feet of floor area of building. Where authorized on-street parking spaces are available within a distance of five hundred feet from the nearest point of the church or place of worship, the required number of off-street parking spaces may be reduced by thirty-three and one-third of the total number of such on-street parking spaces within the five-hundred-foot distance. Where such on-street parking spaces fall within five hundred feet of two or more churches or places of worship, the reduction of thirty-three and one-third shall be prorated equally among them;

12. Mortuary: one parking space for every forty square feet of floor area of building;

13. Auditorium, theater, stadium, bleachers, place of assembly: one parking space for every six seats;

14. Library, museum, art gallery: one parking space for every three hundred square feet of floor area of building;

15. School with students less than fifteen years of age: one parking space for each classroom;

16. School with students more than fifteen years of age: eight parking spaces for each classroom;

17. Hospitals: one parking space for every three beds;

18. Sanitarium, welfare institution, nursing home: one parking space for every eight beds;

19. Golf course: three parking spaces for each hole in the course;

20. Golf driving range: four parking spaces for each acre;

21. Clubhouse, private club: one parking space for every two hundred square feet of floor area of building;

22. Bowling alley: five parking spaces for each alley;

23. Swimming pool, gymnasium: one parking space for every six hundred square feet of gross floor area of pool or building;

24. Restaurant, bar, nightclub, amusement centers and places of assembly: one parking space for every one hundred square feet of serving and dining areas; provided, that there shall be a minimum of three parking spaces for patrons and a minimum of three additional spaces for employee parking for each such establishment;

25. Business building in B-1 neighborhood district: one parking space for every five hundred square feet of floor area of building; provided, that the minimum shall be three parking spaces;

26. Business building other than in B-1 neighborhood business district: one space for every five hundred square feet of floor area of building; provided, that the minimum shall be three parking spaces. Where a publicly owned off-street parking lot containing one hundred fifty or more parking spaces is in the proximity of and is available to any lot in a B-2 or B-3 business district, reduction of the number of parking spaces may be approved by the commission on the following basis:

a. Lots within two hundred feet from the nearest point of the publicly owned parking lot, no parking spaces shall be required;

b. Lots within four hundred feet, but more than two hundred feet, from the nearest point of the publicly owned parking lot, fifty percent reduction of the number of required parking spaces;

1 c. Lots exceeding four hundred feet from the nearest point of the publicly owned parking lot,
2 no reduction in the number of required parking spaces;
3 d. Where the two-hundred-foot line or four-hundred-foot line intersects any lot, required
4 parking spaces shall be computed proportionately by the foregoing rule;
5 27. Service station, repair shop, garage: one parking space for every two hundred square
6 feet of floor area of building or forty percent of the lot area, whichever is the greater. The
7 storing and keeping of damaged vehicles or parts thereof shall be within an enclosure
8 bounded completely by solid fence six feet in height;
9 28. Industrial or storage uses in M-1 and M-2 industrial zones: one parking space for every
10 six hundred square feet of floor area of building or twenty-five percent of the lot area,
11 whichever is the greater, except for warehouses or storage facilities, in which instance the
12 parking requirement may be reduced upon approval of the planning director based upon
13 the provisions for employee parking and proposed uses. In industrial parks, employee
14 parking requirement may be satisfied by a centralized or shared parking area upon
15 approval of the planning commission;
16 29. Industrial or storage use other than in M-1 light industrial district: one parking space for
17 every seven hundred square feet of floor area of building or twenty percent of the lot area,
18 whichever is the greater;
19 30. Public utility substation: one parking space;
20 31. Shopping centers defined as commercial establishments with five or more uses on a
21 single parcel of land containing a minimum of three acres of land area or a minimum of
22 twenty-five thousand square feet floor area: the shopping centers shall have one space for
23 every two hundred square feet of floor area of all buildings except for restaurant, bar,
24 nightclub and amusement facilities, for which parking requirements under subsection 24 of
25 this section shall apply;
26 32. Banks and medical and dental clinics: one parking space for every three hundred
27 square feet of building; provided, that the minimum shall be three parking spaces;
28 33. Convertible apartment, hotel and apartment/hotel units, i.e., single units capable of
29 being utilized as two or more units: an additional one parking space for every three
30 convertible units shall be provided;
31 34. Loading space: a minimum of one loading space shall be provided for each building or
32 series of buildings within the hotel, business, industrial and public use districts for buildings
33 between two thousand and ten thousand square feet. A minimum of two loading spaces for
34 buildings in excess of ten thousand square feet is required;
35 35. Tennis courts: six parking spaces for each court;
36 36. Bed and breakfast home: one parking space for each bedroom used for short-term
37 rental, in addition to any other parking space(s) required by this section. (Ord. 2609 ' 7,
38 1997: Ord. 1770 ' 1, 1988: Ord. 1552 ' 1, 1986: Ord. 1269 ' 8, 1982: Ord. 791 ' 1(a) and
39 (b), 1974: prior code ' 8-1.16 (a))]

19.36.020 General requirements.

Every [required] off-street parking space or area shall be provided and maintained, and shall be increased to conform with greater needs, and may be eliminated or reduced only to

the extent that the lesser amount conforms with the requirements of this chapter.

19.36.030 Location.

Every [required] off-street parking space or area, or equivalent multi-deck, basement, roof, or other parking facilities shall be located on the same lot it serves or within a distance of four hundred feet of the nearest point of the lot and as approved by the commission.

19.36.040 Size or dimensions.

The size of each off-street parking space shall be not less than the following:

Size	Width	Length
Standard	8'-6"	18'
Standard (Parallel)	8'-6"	22'
Compact	7'-6"	16'
Compact (Parallel)	7'-6"	20'

~~[The size of each required off-street parking space shall be not less than eight feet six inches in width and not less than eighteen feet in length; provided, that the minimum dimensions for parallel parking spaces shall be eight and one-half feet in width and not less than twenty-two feet in length for standard size cars and seven and one-half feet in width and not less than twenty feet in length for compact cars.]~~

19.36.050 Determination of spaces.

A. In determining the number of parking spaces based on floor area of a building, the gross floor shall be used, including areas occupied by accessory uses and spaces, such as covered lanai, patios and storage rooms, but excluding elevators, stairs, hallways and exterior walkways, unless otherwise provided in this chapter.

B. When units of measurements determining the number of required parking spaces result in fractional space, any fraction less than one-half shall be disregarded and fractions of one-half or over shall require one parking space.

C. All required parking spaces shall be standard-sized parking spaces, provided that single-family dwellings, farm dwellings, duplexes, and apartments may have up to twenty-five percent compact car parking spaces.

D. Compact car parking spaces shall be grouped and labeled "compact only".

19.36.060 Access and specifications.

A. Every required off-street parking space shall be readily accessible from appropriately constructed driveways, lanes or aisles. Additional spaces resulting from the AStacking of Vehicles® where a vehicle's access is blocked cannot be counted as approved parking, except when providing parking in tandem as specified in section 19.36.010. In addition:

1. Parking spaces shall be arranged so that no maneuvering i.e., access and egress, from a parking space shall occur on any public street, alley or walkway.

2. Parking areas for three or more automobiles shall have individually striped spaces,

except for Bed and Breakfast homes.

3. Where eight or more spaces are provided on a parcel, a suitable turnaround area shall be provided, in order that all vehicles shall enter the street in a forward manner.

4. Minimum aisle width required for parking areas shall be according to the following table:

Parking Angle	Aisle Width	
	Standard Cars	Compact Cars
0° -- 40°	12'	12'
41° -- 50°	13'	13'
51° -- 70°	18'-6"	18'
71° -- 80°	21'-6"	20'
81° -- 90°	24'	22'

5. Loading space(s) shall not be located in any public street or alley. Each loading space shall be appropriately marked and provided in a readily accessible location within a building or on an exterior paved surface and have minimum dimensions of twelve feet in width, thirty-five feet in length and a vertical clearance of at least fourteen feet.

B. Ingress and egress to the parking area from the street shall be in conformance with standards and requirements of the department of public works.

19.36.070 Fences and landscaping.

Wherever any portion of a parking area abuts property zoned for residential or duplex use, a five-foot high wood or concrete masonry fence shall be erected along that abutting portion of the property line. In addition, landscape planting shall be provided as follows:

A. In the multi-family, hotel, industrial, commercial and airport districts, four-foot wide front and two-foot wide side and rear yard planted areas shall be provided immediately adjacent and parallel with each respective portion of a property line where a parking area immediately abuts. For project that include building structures greater than two stories, front yard planted areas shall be twenty-five percent of the required front yard setback, and three-foot wide side and rear yard planted areas shall be provided immediately adjacent and parallel with each respective portion of a property line where a parking area immediately abuts.

~~[A. In A-1 apartment, H-1 hotel, B-R resort commercial, B-1, B-2 and B-3 business, M-1 and M-2 industrial and airport districts, four-foot wide front and two-foot wide side and rear yard planted areas shall be provided immediately adjacent and parallel~~

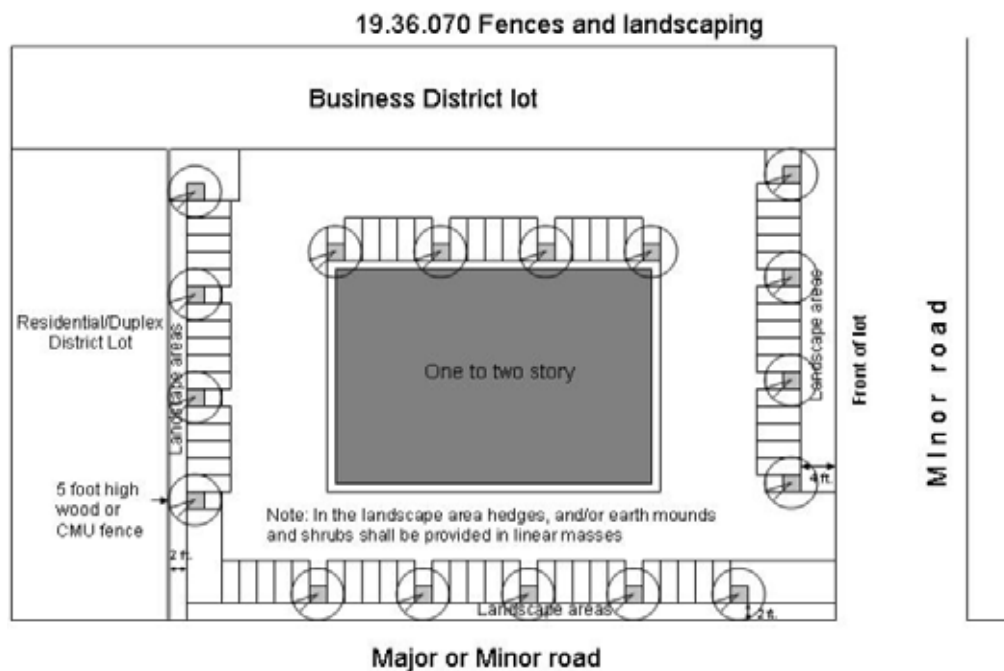
1 ~~with each respective portion of a property line where a parking area immediately~~
2 ~~abuts. In addition, in the A-2 apartment and H-M and H-2 hotel districts, front yard~~
3 ~~planted areas shall be twenty-five percent of the required front yard setback, and~~
4 ~~three-foot wide side and rear yard planted areas shall be provided immediately~~
5 ~~adjacent and parallel with each respective portion of a property line where a parking~~
6 ~~area immediately abuts.]~~

7 B. Large crown shade trees shall be provided at minimum regular intervals for every five
8 stalls throughout each parking area. Appropriate hedge material and/or earth mounds, and
9 shrubs shall be provided in linear masses to function as visual screens.

10 C. The landscape planting plan(s) shall specify plant species, sizes, quantities and
11 locations.

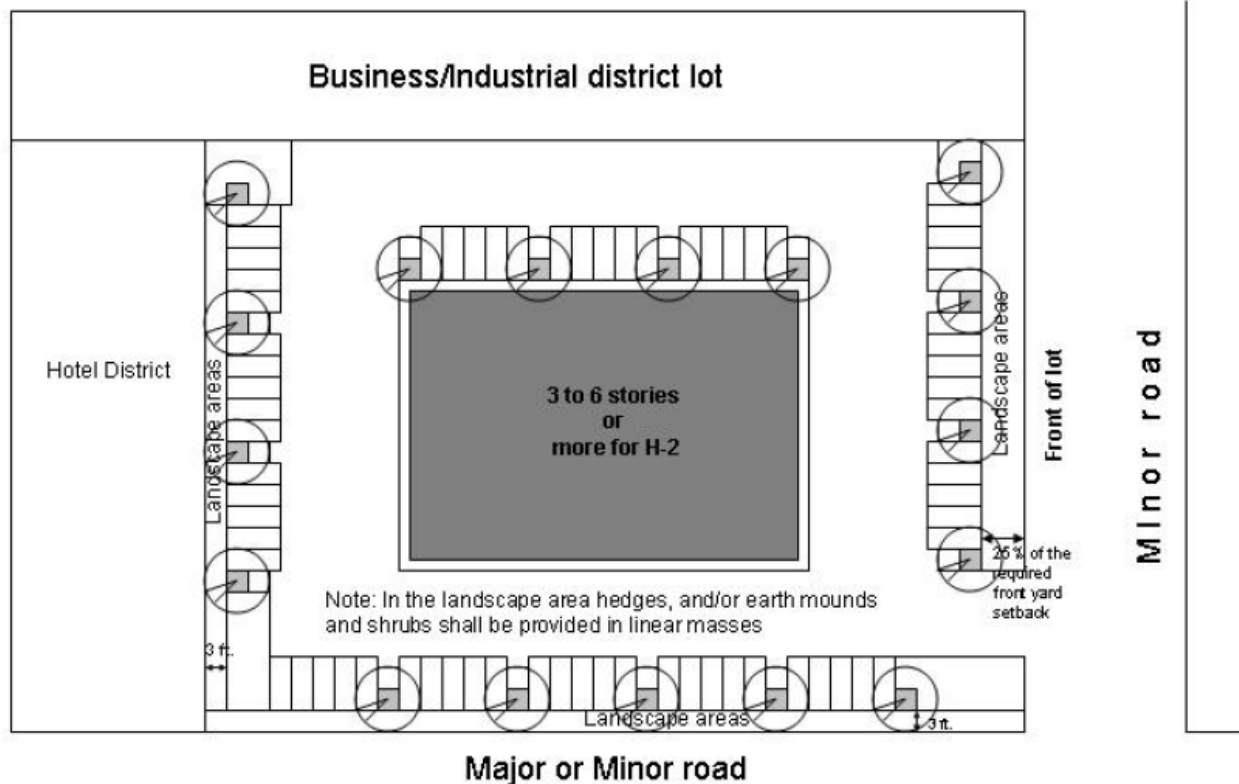
12 D. Each landscape planted area shall be regularly irrigated and maintained.

13 E. All landscape planting and irrigation plans shall be subject to final approval by the
14 planning director.
15



16 **"FOR DEMONSTRATION ONLY. FINAL PLANS SHALL BE APPROVED BY THE DIRECTOR OF PLANNING"**
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18
19

Fences and landscaping



"FOR DEMONSTRATION ONLY. FINAL PLANS SHALL BE APPROVED BY THE DIRECTOR OF PLANNING"

19.36.080 Paving.

Every off-street parking space or area other than for single-family dwellings, **Bed and Breakfast homes**, farm dwellings, guest house and servants' quarters shall be paved with asphaltic or concrete surface or equivalent. **The director may allow or require other surface material consistent with an approved regional or community design guidelines.**

19.36.090 Lighting.

If lighting is provided, the lights shall be directed away from the residential area and from any public street or highway. **Appropriate shielding shall be incorporated** in such a way as not too interfere with public safety and welfare.

19.36.100 Use limitations.

Parking areas shall be used for actively used vehicle parking only; and no sales, dead storage, repair work, dismantling nor servicing of any kind, including storage of damaged vehicles, shall be conducted in such areas, except as provided in ~~[-subsection 27- of]~~ Section 19.36.010. Noncommercial, home repairing of vehicles shall be permitted in parking space for single-family dwelling, farm dwelling, duplex, servants' quarters and guest house.

19.36.110 Compact car parking stalls and g-Grass parking.

A. ~~[Hotels, Restaurants, Bars, Nightclubs, Amusement Centers and Places of Assembly. Parking stalls for compact cars are permitted not to exceed fifty percent of the total off-street parking requirements, provided, the stalls shall be grouped and properly identified and the compact car stalls shall be at least seven feet six inches wide and sixteen feet in length. In no event shall existing parking lots be reduced in area or the number of parking spaces be reduced in number and in no event shall any increase in the number of parking stalls, obtained by reason of this section, be credited to any additional parking requirements attributable to the expansion of or the addition to the premises of any part thereof.~~

B. ~~All Other Uses. Parking stalls for compact cars may be permitted not to exceed twenty-five percent of the total off-street parking requirements; provided, that the stalls shall be grouped and properly identified and the compact stalls shall be at least seven feet six inches wide and sixteen feet in length.~~

C. ~~Upon approval of the director of [public works], the requirement for asphalt or concrete surface of parking spaces may be modified whereby five stalls or [up to] twenty-five percent of the provided [required] spaces , which ever is greater, may be located on a grassed [area], gravel, or concrete masonry grid paver area [, which are designed to permit grass growth in the open spaces of the grid].~~

19.36.120 Special management area--Additional requirements.

Nothing in this chapter shall be construed to limit the authority of the [Maui] planning commissions to impose additional off-street parking and loading requirements on developments within the special management area.

19.36.130. Residential mixed use development parking requirements. A.

The purpose of this section is to maximize land use efficiency by setting forth parking requirements for various land uses within a residential mixed use development.

B. The following minimum numbers of accessible off-street parking spaces for self-propelled motor vehicles shall be provided on private property in connection with the use of any land, or the erection or remodeling of any building or structure within the residential mixed use development:

USE	MINIMUM PARKING RATIO
Automobile services	One parking space per two hundred square feet of floor area or forty percent of lot area, whichever is greater.
Day care facility	One parking space for every ten care recipients; four pick-up/drop-off spaces for facilities with more than

USE	MINIMUM PARKING RATIO
	twenty-five care recipients.
Dwelling, single- family	Two on-site parking spaces per unit for detached single-family dwellings and duplexes.
Dwelling, multi- family	<p>Studio: one on-site parking space per unit;</p> <p>One bedroom: one on-site parking space per unit;</p> <p>Two or more bedrooms: two on-site parking spaces per unit.</p>
Eating and drinking establishment	One parking space for every one hundred square feet of serving and dining areas.
Education, specialized	One parking space for every ten students, plus one parking space for every four hundred square feet of office floor space.
Food and beverage retail	One parking space for every five hundred square feet of floor area of building; provided that a minimum of three parking spaces shall be provided.
General merchandise	<p>One space for every five hundred square feet of floor area of building; provided that a minimum of three parking spaces shall be provided.</p> <p>One parking space for every six hundred square feet of floor area of building; provided that a minimum of three parking spaces shall be provided for appliance, furniture, plumbing supply, automobile, landscape supply, marine supply, and machinery stores requiring large floor spaces for product display.</p>
General office	One parking space for every five hundred square feet of floor area of building; provided that a minimum of three parking spaces shall be provided.
Light manufacturing and processing	One parking space for every one thousand five hundred square feet of floor area of building for warehouses and storage facilities;

USE	MINIMUM PARKING RATIO
	One parking space for every six hundred square feet of floor area of all other uses.
Live/work mixed use	One parking space for every seven hundred fifty square feet of area used for live/work business; commercial uses and residential uses within a live/work configuration may share parking spaces. The spaces required for the residential unit on a live/work building lot may be applied toward the number of spaces required for the business use.
Personal and business services	<p>One parking space for every three hundred square feet of floor area of building for medical and dental clinics, barber shops and beauty shops, financial institutions, health spas; provided that a minimum of three parking spaces shall be provided;</p> <p>One parking space for every five hundred square feet of floor area of building for other personal and business services; provided that a minimum of three parking spaces shall be provided.</p>
Recreation, indoor	<p>One parking space for every six hundred square feet of floor area of pool, gymnasium, wellness center;</p> <p>One parking space for every three hundred square feet of floor area for all other types of indoor recreation or three spaces per play court, whichever is greater.</p>
Self-storage	<p>One parking space for every five thousand square feet of floor area of building for storage facilities;</p> <p>One parking space for every six hundred square feet of all other uses.</p>

19.36.140 Joint-use parking for residential mixed use developments. A.

Upon approval of the planning director, joint-use of required parking spaces may be allowed for residential mixed use developments where the distance of the entrance to the joint-use parking facility from the nearest principal entrance of the building occupied by the use does not exceed four hundred feet by customary pedestrian routes. If approved, joint-use parking shall apply only to the specific uses

1 and site plan submitted with the application. Once joint-use parking has been
2 approved, no change in use shall be permitted without a new request for joint-use
3 parking, and no building permits or certificates of occupancy shall be issued without
4 a joint-use parking approval.

5 B. Joint-use parking may be approved subject to the following application
6 requirements, which shall be prepared and submitted by the applicant(s):
7

8 1. The names and addresses of the owners of the parcel(s) who will
9 participate in the joint use of parking.

10 2. The uses for which joint use approval is sought.

11 3. Site plan drawn to scale showing the location and number of parking
12 spaces that will be jointly used.

13 4. An analysis demonstrating that the peak parking times of the uses
14 occur at different times of the day, and that the joint-use parking facility will
15 be sufficient to accommodate the anticipated demand of the two or more
16 uses.

17 5. Any other information required by the planning director to assess the
18 application.
19

20 **19.36.150 Off-site parking for residential mixed use developments.** A. Upon
21 approval of the planning director, off-site parking for residential mixed use
22 developments may be allowed where parking spaces in excess of the number of
23 spaces required by this chapter exist on a lot or lots or street or streets within the
24 residential mixed use development. The distance of the entrance to the off-site
25 parking facility from the nearest principal entrance of the building occupied by the
26 use shall not exceed four hundred feet by customary pedestrian routes. If approved,
27 off-site parking shall apply only to the specific uses and site plan submitted with the
28 request. Once off-site parking has been approved, no change in use shall be
29 permitted without a new request for off-site parking, and no building permits or
30 certificates of occupancy shall be issued without an off-site parking approval. When
31 the parking spaces in excess of the number of spaces required by this chapter meet
32 the requirements as stated, such surplus spaces may be counted towards the
33 parking requirements of a separate lot within the residential mixed use development.

34 B. Off-site parking may be approved subject to the following application
35 requirements, which shall be prepared and submitted by the applicant(s):
36

37 1. The names and addresses of the owners who are entering into an off-
38 site parking agreement.

39 2. The uses for which off-site parking approval is sought.

40 3. Site plan drawn to scale showing the location and number of parking
41 spaces that are being leased for off-site parking.

42 4. Documents that identify the owner of the subject properties. Lessees
43 of the subject off-site parking stalls shall submit a copy of any recorded
44 parking agreement for said stalls, which agreement shall have an unexpired
45 term of at least five years from the date of filing of the off-site parking
application.

1 5. Any other information required by the planning director to assess the
2 application."
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7 **19.36.160 Parking reduction or waiver**

8 A. The owner or lease, may submit a written request to the Department for a waiver or
9 deferral of parking required by this chapter for warehouse and storage facilities, commercial
10 and residential mixed use projects, and churches and places of worship, provided that
11 Mixed Use Developments shall not be eligible for waiver or deferral of parking. The director
12 may approve a waiver or deferral of up to thirty percent of the off-street parking requirement
13 required by this chapter.
14

15 B. In determining a potential reduction in parking, the director shall consider the following:

16 a. Off site parking agreements, provided that said off site parking facility shall not be
17 further than 400 feet from the nearest principal entrance of the building occupied by the
18 use.

19 b. Joint use parking agreements between two or more uses that demonstrate that the peak
20 parking times of the uses occur at different times of the day, and that the joint-use parking
21 facility will be sufficient to accommodate the anticipated demand of the two or more uses.

22 c. Where a publicly owned off- street parking lot containing one hundred fifty or more
23 parking spaces is in the proximity of and is available.

24 d. Off-site employee parking, employee car/van pooling, and/or provision of employee
25 transit passes.

26 e. Superior pedestrian, bicycle and/or transit access

27 f. Proof of parking reserves in the form of reserved open space area in excess of the
28 minimum open space or landscape requirements and/or agreements to construct additional
29 parking when and if warranted as determined by the planning director or commission based
30 on evidence of overflow parking on public streets, in fire lanes, or in other areas that are not
31 striped for parking.
32

33 **19.36.170 Excess Parking**

34 No Private entity in connection with a commercial development shall provide or construct
35 paved excess surface parking. For the purpose of this section, excess parking is deemed
36 as providing 120 % or 40 parking stalls, which ever is greater, above and beyond what is
37 required in this code. Any desired excess stalls shall be constructed within a structure or
38 grasscrete area. Landscaping shall be provided pursuant to 19.36.70
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41 **19.36.180 Temporary or special events Parking.**

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43 Upon approval of the planning director, a temporary parking lot may be established
44 in connection with a permitted or accessory use. At the discretion of the director,
45 improvements to the parking lot shall be limited to provide public health, safety, and visual

1 relief. For the purpose of this chapter, temporary or special event parking shall mean the
2 establishment of a parking lot to be used in conjunction with a use not to exceed 180 days.
3 This shall include but not limited to bazaars, fairs, temporary sales office for subdivisions,
4 festivals, construction worker parking, or sporting events. It shall not include regularly
5 scheduled or weekly events such as swap meets or flea markets.
6
7

8 **19.36.190 Loading space:**
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10 A minimum of one loading space shall be provided for each building or series of
11 buildings within the hotel, business, industrial, residential mixed use and public use districts
12 for buildings between two thousand and ten thousand square feet. A minimum of two
13 loading spaces for buildings in excess of ten thousand square feet is required;
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